

**Conсор & Associates**  
Reporting and Transcription, Inc.

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA  
CASE NO. 50 2008 CA 040805XXXX MB

GMAC MORTGAGE, LLC,

Plaintiff,

-vs-

ANN M NEU A/K/A ANN MICHELLE  
PEREZ; DOUGLAS WILLIAM NEU;  
UNKNOWN TENANT (S) IN  
POSSESSION OF THE SUBJECT  
PROPERTY,  
Defendants.

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DEPOSITION OF JEFFREY STEPHAN

Thursday, December 10, 2009  
1:00 p.m. - 2:30 p.m.

Conсор & Associates  
1655 Palm Beach Lakes Blvd., Ste. 500  
West Palm Beach, Florida 33401

Reported By:  
Jamie Reynolds Bentley, Court Reporter  
Notary Public, State of Florida  
Conсор & Associates  
1655 Palm Beach Lakes Blvd., Suite 500  
West Palm Beach, Florida 33401  
(561) 682-0905

Exhibit C-2

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1 APPEARANCES:

2 On behalf of the Plaintiff:

3 ALEJANDRA ARROYAVE, ESQ.

Lapin & Leichtling

4 225 Alahamra Circle

Suite 800

5 Coral Gables, Florida 33134

(305) 569-4100

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8 On behalf of the Defendant:

9 CHRISTOPHER IMMEL, ESQ.

Ice Legal, P.A.

10 1975 Sansbury's Way

Suite 104

11 West Palm Beach, Florida 33411

(561) 798-5658

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1 ultimately sign and execute?

2 A. They would review the document that is given  
3 to them through our computer systems.

4 Q. Okay.

5 A. So they don't actually prepare it per se.  
6 They review it for the accuracy of what type of entity  
7 I'm signing as.

8 Q. Okay. How many different entities do you sign  
9 as?

10 MS. ARROYAVE: Objection: Form.

11 BY MR. IMMEL:

12 Q. Can you name what entities you sign --

13 A. I sign presently as MERS.

14 Q. Okay.

15 A. And under MERS as vice president or an  
16 assistant secretary. Also, I sign for GMAC Mortgage.  
17 And to be honest with you, it's too many entities for me  
18 to actually quote under GMAC. But it is as a limited  
19 signing officer.

20 Q. Okay. And earlier you stated that right now  
21 it's GMAC, LLC.

22 A. Uh-huh.

23 Q. You do still currently sign documents as GMAC  
24 Mortgage, LLC?

25 A. Yes, I do.

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1 information.

2 Q. So the attorney creates these documents and  
3 you are relying that the attorney is correct?

4 A. Yes.

5 MS. ARROYAVE: Objection: Form.

6 BY MR. IMMEL:

7 Q. Okay. And then they are required to be  
8 notarized. Are they notarized in your office?

9 A. Yes.

10 Q. Is the notary present with you or is it down  
11 the hall?

12 A. The notary is in the same department.

13 Q. Same department. Okay. Are they physically  
14 present when you (sic) notarize this -- or when they  
15 notarize and then you execute it?

16 A. No, they are not physically present. But I  
17 will -- I do deliver them to the notary.

18 Q. All right.

19 A. And I wait for them to notarize it to hand  
20 them back to my team.

21 Q. Okay. All right. What department then? You  
22 said your department?

23 A. Right.

24 Q. And as part of their job responsibilities,  
25 would notarizing be their sole responsibility, or do

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1 they have other responsibilities?

2 A. They have other responsibilities.

3 Q. Are any of the members of your team, people  
4 that also notarize documents that you execute?

5 A. Yes.

6 Q. Yes. Okay. Is there a job requirement that  
7 certain employees become notaries?

8 A. I don't know.

9 Q. Okay. And what type of -- what level of a  
10 type of employee would it typically be that is a notary?

11 A. I don't know that either.

12 Q. All right. Does the company pay for the  
13 process of becoming a notary or the renewal fees?

14 A. Yes.

15 Q. Okay. If a notary feels that they are being  
16 asked to notarize something that's done improperly, is  
17 there a process which they can, you know, raise that to  
18 anybody's attention?

19 A. I honestly don't know.

20 Q. You are not sure. Do you notarize any  
21 assignments of mortgage or other documents yourself?

22 A. No.

23 Q. Are you a notary?

24 A. No.

25 Q. How are witnesses ordinarily chosen?

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1 MS. ARROYAVE: Object: Form.

2 Chosen for what?

3 BY MR. IMMEL:

4 Q. The witnesses to, say, the assignments of the  
5 mortgage, and the witnesses of things that you execute.

6 A. They are just chosen randomly.

7 Q. Chosen randomly. Okay. Approximately how  
8 many days a week do you spend executing assignments,  
9 affidavits, and the various documents that you execute?

10 A. Five.

11 Q. Five. Okay. Are there any specific days  
12 where it's one day these types of documents, this type  
13 of documents, or can it be just a mix?

14 A. It's a mix.

15 Q. Okay. Approximately how many documents would  
16 you say are presented to you by your team at a given  
17 time? Is it one at a time, or ten at a time?

18 A. It is done in bulk.

19 Q. Done in bulk.

20 A. I could not quote you the exact number.

21 Q. Okay. Going back to the signing officer as  
22 Mortgage Electronic Registration Systems, you said that  
23 you are -- you sign as both vice president and as an  
24 assistant secretary?

25 A. That is correct.

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1 Q. Is there any basis for one -- you sign as one  
2 versus the other?

3 A. The majority of the time I sign as a vice  
4 president. Most times we do not need an assistant  
5 secretary, unless they are asking for a second signature  
6 on any type of an affidavit or assignment.

7 Q. Okay. And, again, you are not paid by MERS.  
8 Do you hold any other responsibilities with MERS that  
9 would be consistent with having the title of a vice  
10 president?

11 A. No.

12 Q. No. Okay. So you don't attend any board  
13 meetings for MERS?

14 A. No.

15 Q. You don't report to the secretary of MERS or  
16 any other people at MERS?

17 A. No.

18 Q. How did you become a MERS representative? Did  
19 you request to be a vice president of MERS?

20 A. I received the responsibility as being the  
21 team lead for document executing. It was assigned to me  
22 by our legal area.

23 Q. Okay. All right. So your responsibilities as  
24 a vice president of MERS to execute the assignments is  
25 really your job perspective, or an aspect of your job at

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1 GMAC Mortgage, LLC or GMAC, LLC?

2 A. That is correct.

3 Q. Okay. And you've never been to any MERS  
4 offices or their headquarters?

5 A. No.

6 Q. Are you aware of why you were given the title  
7 of vice president versus assistant secretary or...

8 A. No, I'm not aware of that.

9 Q. Okay. All right. I have here the assignment  
10 of mortgage which you executed in this case.

11 A. Okay.

12 MR. IMMEL: I'll enter that as Exhibit A.

13 (Defendant's Exhibit Letter A was marked for  
14 identification.)

15 MR. IMMEL: I have a copy for you, as well.

16 THE WITNESS: Thank you.

17 BY MR. IMMEL:

18 Q. In the top left-hand corner it says, Record  
19 and return to offices of Marshall C. Watson.

20 Based on your earlier statements, it's  
21 accurate to say that attorneys at Marshall C. Watson  
22 created the information on this document?

23 MS. ARROYAVE: Objection: Form.

24 THE WITNESS: That would be correct.

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